

Appl. No. 10/712,471
Amdt. Dated May 25, 2006
Reply to Office Action of March 28, 2006

AMENDMENTS TO THE DRAWINGS

The amended sheet of drawings includes changes to FIG. 7. This sheet, which includes FIGS. 6 and 7, replaces the original sheet. In FIG. 7, reference numeral 602 has been added to the drawing.

Attachment: Replacement Sheet

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REMARKS

This is a full and timely response to the final Office action mailed March 28, 2006. Reexamination and reconsideration in view of the foregoing amendments and following remarks is respectfully solicited.

Claims 1, 14, 17, and 30 are now pending in this application, with Claims 1 and 17 being the independent claims. Claims 1 and 17 have been amended, and Claims 2-13, 15, 16, 18-29, 31, and 32 have been canceled herein. No new matter is believed to have been added.

Drawing Objections

The drawings were objected to under 37 C.F.R. § 1.84(p)(5) for failing to include reference numeral 602. In response, Applicants include herewith a replacement sheet that now includes reference numeral 602.

Reconsideration and withdrawal of the drawing objection is, therefore, respectfully requested.

Rejections Under 35 U.S.C. § 112, Second Paragraph

Claims 1, 14, 17, and 30 were rejected under 35 U.S.C. § 112, second paragraph as allegedly being indefinite. In particular, the Office action alleges that these claims are indefinite for reciting the phrase "adapted to" and using the term "tendon." In support of the alleged indefiniteness of the phrase "adapted to," the Office action cites the M.P.E.P. and case law, which merely delineate the well-known adage that phrases such as "adapted to" may not constitute a positive limitation. Of course, Applicants agree with this. Indeed, their use of the phrase adapted to in the claims was purposely done to not constitute a positive limitation in the claims. However, use of this phrase does not render the claim indefinite. Indeed, nowhere in the M.P.E.P., and most notably in the section thereof referenced in the Office action (§ 2106.II.C.), does it state that the phrase "adapted to" renders a claim indefinite. Moreover, the case law cited in the Office action does not conform to this proposition either.

As to the term "tendon," Applicants submit that the meaning of this term, as used in both the specification and claims, would be readily understood by one of skill in the art. Nonetheless, to provide even further clarity to the description and claims, the term "tendon" has been replaced

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throughout the description and claims with the term "link." Applicant submits that this term is well-understood, and its use, instead of the term "tendon," is supported in the as filed application.

In view of the foregoing, Applicants request reconsideration and withdrawal of the § 112, second paragraph rejections.

Rejections Under 35 U.S.C. §§ 102 and 103

Claims 1 and 17 were rejected under 35 U.S.C. § 102 as allegedly being anticipated by Japanese Publication No. JP/62-46273 (Ono), and Claims 14 and 30 were rejected under 35 U.S.C. § 103 as allegedly being unpatentable over Ono. These rejections are respectfully traversed.

Ono discloses a heat-conducting mount (2) and an equipment-carrying mount (4) disposed on the heat-conducting mount via a support (3). A heat pipe (21) is coupled between the mount (2) and a thermal switch (22) made of a shape memory alloy. Ono discloses that thermal switch (22) couples the mount (4) to the heat pipe (21) when the temperature of the mount (4) decreases below a given value, and disconnects the mount from the heat pipe (21) when the temperature increases above a given value. Hence, it is also clear that Ono fails to disclose, or even remotely suggest, first and second thermally conductive contacts, and a link that moves the first thermally conductive contact to at least partially engage the second thermally conductive contact when at least the link is at or above a predetermined temperature, as is now recited in independent Claims 1 and 17.

In view of the foregoing, reconsideration and withdrawal of the §§ 102 and 103 rejections is respectfully solicited.

Conclusion

Based on the above, independent Claims 1 and 17 are patentable over the citations of record. The dependent claims are also submitted to be patentable for the reasons given above with respect to the independent claims and because each recite features which are patentable in its own right. Individual consideration of the dependent claims is respectfully solicited.

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The other art of record is also not understood to disclose or suggest the inventive concept of the present invention as defined by the claims.

Hence, Applicant submits that the present application is in condition for allowance. Favorable reconsideration and withdrawal of the objections and rejections set forth in the above-noted Office action, and an early Notice of Allowance are requested.

If the Examiner has any comments or suggestions that could place this application in even better form, the Examiner is requested to telephone the undersigned attorney at the below-listed number.

If for some reason Applicant has not paid a sufficient fee for this response, please consider this as authorization to charge Ingrassia, Fisher & Lorenz, Deposit Account No. 50-2091 for any fee which may be due.

Respectfully submitted,

INGRASSIA FISHER & LORENZ

Dated: May 25, 2006

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